A

File No. 145

1912.

Collection No.

~~Mysore Residency~~

11-3-47.

18/3.

Pros. Serial Nos. 1—11

Subject.

Sale by public auction of a portion of the relinquished railway land in Doddigunta in respect of which one Veerabba claims compensation

Previous References.

7 508/90

7 108/09

7 58/11

Later References.

7 268/12

1.

Margin for binding not to be written on.

File No. 141/1912

Office Note.

Letter No. 923 dated 15th Sept 1912
from The Collector, Cuttack. & Commissioner

SUBJECT.

Disposal of Lakhiri Lands in Mouza Dipsuta
relinquished by the Rly Co & resumed possession of by Govt

The case is not clear.

2. The land in question is reported to be in the possession of the present owner for 30 years & was given to him for cultivation for annual rent. He is said to have spent Rs 300 on the improvement of the land.

3. Probably the Municipal authorities might be able to say what lands were taken by the Rly Co & subsequently relinquished by them & how they were disposed of. Having regard however to the principles enunciated in Govt of India Rev. Dept. No. 1693 R.C. of the 5th June 1909, it is not understood why it is now proposed to deprive the present occupier of the land in question in favour of the Tobacco Company. It is assumed, so far as concerns the present

S. 1, R. P. B.—11-1911.—5,000.

owner, that the land may probably be required by the Rly Co in the distant future but in assessing its outright value to the Tobacco Company it is taken for granted that the ~~land~~ existing use is not looked to have any further use in the present or the future!

4. If the Tobacco Company want the land they must compensate the present occupier owner in addition to paying its value. ~~The present value of the~~ They must pay to compensate the present occupier owner, the latter must in fairness be given the option of buying permanently the land at the rate proposed viz £200 per acre, if it be considered necessary to make a change in the existing conditions of its tenure.

Margin for binding not to be written on.

(Ref: Meeting See p 25 of 6 of 19/1/12)

5. If approved the question may first be asked A-D to consult (1) the Law Officers of the Crown on the point referred to at A in para 3 of note. & (2) the Railway

KJ 26/5/12 authorities as to whether this particular dry land is ever likely to be required for Railway purposes.

29/5/12.

This land was required for a

Margin for binding not to be written on.

public purpose may be the subject of compulsory acquisition under the Act could hardly be justified if it were to be sold again to a Tobacco Company)

29/5/12

6. I think we may write both Richards Mfo in the following lines.

Flag K. 8583 of 590

(1) In view of the views contained in Sec. 83 it appears to be necessary to find out from the railway authorities if there is any possibility of their requiring the lands to be personally alienated

(2) The Dep. Comm. of Bungalow might be consulted as to how the present claimant obtained possession of these lands if either they were relinquished by the Railway Company.

(3) In view of the fact that the land is to be sold for tobacco factory & is not to be utilised for a public purpose the question of giving compensation for trees does not appear to deserve further consideration.

MBW. 30/5.

Draft D.O letter is submitted for approval.

S. 2.—E. P. B.—10-1910.—3,000.

H2

Pl. 30/5/12 30/5/12 MBW 31/5

Issued No 3119 of 1.6.12

Letter N° 3771/7 10: October 1912, from the Collector, C&M Station of Ahmednagar.

Margin for binding not to be written on.

1 It is not clear why the Collector himself has not made the necessary enquiry till now. Draft letter to the Agent, Madras & S.M.R Co is submitted for approval.

(If D.O letter is quoted in the Collectors official letter which is not in accordance with the general practice) ✗

HS. 14/10/12 VAS 12/10 MBB 14/10

Issued No 6055 of 15.10.12

Letter N. 3926, dated the 17th October 1912 from the Collector, C&M Station of Ahmednagar.

8. The reply from the Agent, Madras & S.M.R Co, to our letter N. 6055, of the 15th October 1912, may be submitted. Before posting under the land permanently it must be known definitely whether it would not be wanted again for railway purposes.

AS. 23/10/12 VAS 28/10/12 MBB. 25/10

Letter N. 3843-W. of 22nd October 1912, from the Agent, Madras & S.M.R Co's.

9. Draft letter is submitted for approval.

HS. 25/10/12 VAS 25/10 MBB. 28/10

Issued No. 6402 of 30th October 1912

Notes—continued.

S1_8

Letter N. 428, dated the 26: November 1912, from the Collector, Chittagong.

10. Draft letter to the Agent, Messrs S. M. & Co., submd. for approval.

H.
22/11/12

22/11/12

Mfld.
23/11

R 9

Issued No 6971 of 25. 11. 12

S.10

Letter N. 3843-W. dated the 29: December 1912, from the Agent, Messrs S. M. R. Co., Ltd.

11: In the land in question is not likely to be required for railway purposes, the Collector may be informed that the Board sees no objection to it's sale to the Tenants Company at Rs 200/- per acre, the present bona fide occupiers being duly compensated for improving the land.

Draft letter is subm. for approval.

H.
2/1/13

2/1/13

Rest.

Please see Serials 1 to 9 & my note overleaf. May draft below issue. I certainly think the occupiers should be compensated for any improvements. The Collector is quite right in acquiring the land with a view to selling it & not for a public purpose.

Issued No 37 of 3/1

3/1

B P. B.—2-08.—1,500.

S. 11.

RESIDENT'S OFFICE.

———:o:———

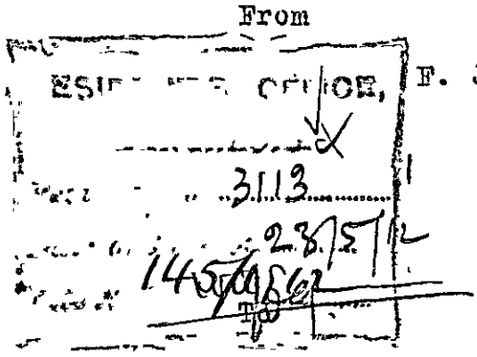
NOTES AND PRECIS.

R. P. B.—6-05.—1,000.

No. 2123 Enc. 3

Office of the Collector,
Civil and Military Station, Bangalore.
Dated, 18th May 1912.

From



F. J. Richards, Esq., M.A., I.C.S.,
Collector, Civil and Military Station,
Bangalore.

To

P. B. Warburton, Esq., B.A., I.C.S.,
First Assistant to the Hon'ble the Resident in
Mysore.

Sir,

Referring to the Hon'ble the Resident's Notification No. 9, dated 5th March 1912, forwarded with your Endorsement No.1325 of the same date, I have the honor to state that item No.9, 33 guntas of dry land, is included in Doddigunta Railway land, for which no compensation need be paid to the holder of the land. -- Similar Railway lands included in this village and in that of - Baderhalli Railway land were acquired for the extension in Fraser Town in 1906 and were not compensated.

X classed as a Government village.

2. One Veerappa the Holder of the land has now put in his claim for compensation on the ground that he has spent about Rs. 300/- on the land. The Amildar reports that he is not entitled to compensation, as the land formed part of relinquished Railway land In forwarding herewith copy of his petition and of the Amildar's report thereon, I submit that as no compensation is payable to the enjoyer of the land, the land may be sold outright to the - Tobacco Company at the rate of compensation awarded in the case of the adjoining land viz., Rs.200/- per acre and that the proceeds be credited to Government.

3. I request the favour of orders of the Hon'ble the Resident

with reference to the correspondence ending with your office endorsement No.5810, dated 21st November 1904, as I have no records in my office to show how the land was treated as Railway land.

I have the honor to be,

Sir,

Your most obedient servant,

Collector.

1 (a)

Civil and Military Station,
C. Jeevanhalli, 26th April 1912.

The District Collector,
Civil and Military Station,
Bangalore.

Respected Sir,

With greatest humility and deference I beg leave to approach your honor with the following few lines hoping to meet with a considerate reception and approval.

As decided by your honor on the 25th March 1912 to compensate for the lands taken possession of by the Government for the relief of congestion in the Civil and Military Station. I beg most respectfully to report to your honor that as no compensation was paid to me to an extent of 33 guntas, bounded on the North by Survey No.104, East by No.105, South by Cart track and Railway Line and on the west by Road to Banasawadi, under the plea that compensation is not allowable to lands adjoining the Railway Track but concession is to be granted to me in this case as an exception as I have spent more than Rs.300/- to fill earth for the excavated portions done by the Railway Company while constructing their permanent way and the said land has been in my possession for upwards of 30 years paying Government tax on the same, and of late the said land is made over to the maintenance of the temple and registered accordingly, and now the effects of the sale of such land is also payable to the temple alone.

Under the circumstances I pray you honor to be kind enough to order for the payment of the compensation sought for.

I beg to remain
Respected Sir,
Your most obedient servant,

(Sd) Veeriah Gowda

" C o p y "

Sheristadar.

24/8

1(b)

Batche

Statement of Erappa son of ~~Basapa~~ Gowda of Jeevanhally dtd 6-5-12.

The Railway piece of ground near the level crossing on the way to Doddigunta has been in my possession from 30 years. it was formerly Railway land but since given to me for cultivation. It was a deep ditch formerly and I spent as much as Rs.300/- to -- bring it into order. I have been enjoying it on payment of taram assessment every year. I claim compensation for the expenditure I incurred in preparing it for cultivation. The land measures 33 guntas. The peition read to me was given by me.

Before me

(Sd) V. Sooboochetty

Amildar.

6-5-12

" C o p y "

Sheristadar.

1 (c)

N. Dis. No.178/1912 Enc.2.

Submitted to the Collector.

The petitioner admits that the triangular piece of land to the south of Mains Court is Railway land, but contends that, in view of the large expenditure (Rs.300/-) incurred by him to improve the land to make it fit for cultivation, compensation is due to him There can be no claim whatever for compensation. If he improved the land he had the benefit of reaping more. He held the land conditionally as it were and must part with it whenever required. He had no permanent occupation of it, it being railway land made over to the Revenue authorities, whose duty it is to make it - readily available on short notice. Vide Government of India Notification No.1367 R.C./ 19-8-97. I understand that no compensation was made in the previous years when similar land in the temporary enjoyment of others was acquired by the Municipality for public purposes. Parties statement is enclosed.

S 549
Fil SDC
1896.

(Sd) V. Sooboochetty
Amildar.
6-5-12.

" C o p y "

Sheristadar.

21/8

S. 8.—R. P. B.—4·1912.—10,000.

2

File 145/12

[DRAFT.]

From P. B. Walkinton Esqre, I.C.S.,
First Assistant to the Resident
in Mysore

To

The Revd Richards

No. 2179
Dated 18th June 1912.

A.1

Please refer to your letter No. 2123, dated the 18th May 1912, regarding the acquisition of land in Doddigunta in the occupation of the Vaccination.

2. In view of the orders contained in Govt. of India, P.W.D., letter No. 1198-R.C., of the 1st November 1904, it appears to me necessary to find out from the Railway Authorities if there is any possibility of their ever requiring the land, before permanently alienating the same.

P.83 File 508/1910 (K)

3

3-9 The Commissioner Khyber
District might be consulted as
to how the present claimant
Nowrozee possessing the land
if & when it was relinquished
by the Rly. Company.

* In view of the fact
that the land is to be sold to
a tobacco factory & is not to
be utilized for a public purpose,
the question of giving compensation
to a bona fide owner appears to
deserve further consideration

F. J. Richards Esqre, I.C.S.,
Collector, & Settlement Officer.

9

No. 3771 Enclos.

Office of the Collector,
Civil and Military Station,

Bangalore, the 10th October 1912.

RESIDENT'S OFFICE
MYSORE
Register No. 6398
Date of Receipt 11.10.1912
14/10/12

From

F. J. Richards, Esquire, M.A., I.C.S.
Collector, Civil and Military Station,
Bangalore.

To

P. B. Warburton, Esquire, B. A., I.C.S.,
First Assistant to the Hon'ble the Resident
in Mysore, Bangalore.

Sir,

With reference to your D.O. letter No. 3179, dated the 1st June 1912, I have the honour to request that as stated in para 2 of your letter, you will address the Railway authorities with a view to find out whether the land in question will ever be required by the railway company for their purposes.

2. I have addressed the Deputy Commissioner, Bangalore District as to how the present claimant obtained possession of the land and his reply is awaited.

3. As I am anxious to settle this question before I leave the Station, I request that you will take very early steps in the matter.

I have the honour to be,

Sir,

Your most obedient servant,

COLLECTOR.

14/10/12

S. 22.—R. P. B.—7-1912.—10,000.

S. 3.—R. P. B.—4-1912.—10,000.

4

No 145/12

[DRAFT.]

From P. S. Worthington Esqre, I.C.S.,
First Assistant to the Resident
in Mysore.

To The Agent,
Messrs S. Smith & Co., Ltd.
Madras

No 6055

8/15th October 1912.

Sir,

I am directed to request that the Resident may be kindly informed at your early convenience whether the undermentioned extent of land which forms part of land relinquished by the Railway Company in Hunsabur is likely to be ever required for railway purposes by the Railway Company. The land is required by the Tobacco Company.

I am, etc,

First Asst. Resident.

S.3. No 145/12

2

S.W.P. No 109

Name of Estates - Doddigunta village
Name of Holder - Veeraiya.
Description of land - Nyetumi dry.
Area — 33 guntas.

Boundaries:
North - Survey No 104
East - Survey No 105
South - Cart track & Bye lines.
West - Road to Hunsawadi.

A.S. 14/10/12 A.S. 12/10

5

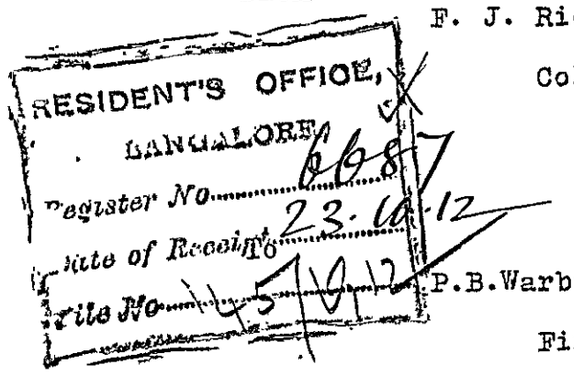
No. 3926 Enclos. One

Collector's Office,
Civil and Military Station,
Bangalore, the 17th October *191*2.

DESPATCHED.
21 OCT 1912

From

F. J. Richards, Esquire, M.A.,I.C.S.,
Collector, Civil and Military Station,
Bangalore.



To

P.B.Warburton,Esquire,B.A.,I.C.S.,
First Assistant to the Hon'ble the Resident
in Mysore, Bangalore.

Sir,

5.3 In continuation of my letter No.3771, dated the 10th instant I have the honour to forward herewith copy of - letter No.R.716, dated the 12th October 1912 received from the Deputy Commissioner, Bangalore District stating that no records are forthcoming about the alleged railway land acquired from one Veerappa and to request that, if the railway company have no need for the land, I may be kindly favoured with the orders of the Hon'ble the Resident for its disposal with reference - to paragraphs 2 and 3 of my letter No.2123, dated the 18th - May 1912, and the latter portion of paragraph 3 of your D. O. No.3179, dated the 1st June 1912.

I have the honour to be,

Sir,

Your most obedient servant,

COLLECTOR.

M.D.T.
18/10/12.

S. 22.—R. P. B.—7-1912.—10,000.

Letter No.R 716/ en.V.P. dated the 12th October 1912 from the Deputy Commissioner, Bangalore District to the Collector, Civil & Military Station, Bangalore.

Adverting to your letter No.2607, dated the 27th June 1912, - requesting to be informed as to how Veerappa obtained possession of 33 guntas of land survey No.4 of Doddigunta village etc., I have the honour to state that the Amildar of Bangalore Taluk reports in his No.476, dated the 28th September 1912, that no records are -- forthcoming in his office as to when the land was taken for the - Railway and how the present claimant obtained possession of the land in question after relinquishment of the same by Railway authorities and that this record was probably sent to the Civil and Military - Station along with other records when the jurisdiction over the -- villages was transferred from the Bangalore Taluk.

The Amildar's report together with its enclosures is herewith sent for reference.

" C O P Y "

Shereistadar.

21/10/12.

24/10/12

6

THE MADRAS & SOUTHERN MAHRATTA RAILWAY CO. LD.

TELEGRAPHIC ADDRESS.
"FREIGHT," MADRAS.

AGENT'S OFFICE.

No. 3843 Rc 2. 672 Madras, N. E. 22nd October 1912 191

W [illegible] 24/10/12 2/3

[illegible] 14/5/12

To

The First Assistant to

the Hon'ble the Resident in Mysore,

B a n g a l o r e.

S i r,

Land in Doddigunta Village, Bangalore Cantonment.

S. 4 Referring to your letter No.6055 dated the 15th instant, I have the honour to request that you will be good enough to furnish me with a plan showing the position of the above land in relation to the Railway line.

I have the honour to be,

Sir,

Your most obedient servant,

[signature]
Agent.

Encl.

P.C.R

30

S. 3.—E. P. B.—4-1912.—10,000.

Res 145
112

T

[DRAFT.]

From F. H. Warburton Esqre, I.C.S.,
First Assistant to the Resident
in Ujjain.

T

To the Secretary to the Station
of Umraopura

No. 6404

dated 30th October 1912.

Sir,

In acknowledging the receipt of your letter No. 3926, dated the 17th October 1912, I am directed to request you to be good as to furnish a plan showing the position of Veeraji's land in Doddipura village in relation to the railway line.

I have, etc.,

F. H. Warburton

First Asstt. Resident

Asst.
25/10/12

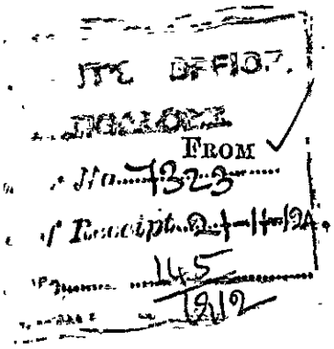
AS
25/10

8

Collector's Office

No. 4288 Enclos. one plan Civil and Military Station,

Bangalore, 20th November 1912.



DESPATCHED.
20 NOV 1912

21/11

From

R. Cox, Esquire, B. A., I. C. S.,
Collector, Civil and Military Station,
Bangalore.

To

P. B. Warburton, Esquire, B. A., I. C. S.,
First Assistant to the Hon'ble the Resident
in Mysore, Bangalore.

Sir,

S. 7 With reference to your letter No. 6404 dated the 30th October 1912, I have the honor to forward herewith a plan showing the position of Veerappa's land in Doddigunta Village in relation to the Railway line.

I have the honor to be,
Sir
Your most obedient servant,

Collector.

20/11/12.

S. 22.—R. P. B.—7-1912.—10,000.

S. S.—R. P. B.—1-1912.—10,000.

No. 141
1/12

[DRAFT.]

From P. B. Wimbush Esqre. I. C. S.,
First Assistant to The Resident
in Mysore.

To The Agent, Madras & S. Mr. Ry Co., Ltd,
Madras.

With reference to your
letter No. 38843. W, dated the 22nd
October 1912, I am directed to
forward herewith a plan showing
the position of Veerappa's land
in Doddigunta village in
relation to the Railway line.

I have, etc.,

P B W

First Asst. Resident

H.S.
25/11/12

27/11/12

Sd/- P. B. W.

S. 6

Encl. 1 P.

THE MADRAS & SOUTHERN MAHRATTA RAILWAY CO., LD.

TELEGRAPHIC ADDRESS:
"FREIGHT," MADRAS.

RESIDENT'S OFFICE
BANGALORE
Register No. 8067
Date of Receipt 28.12.12
File No. 1452

AGENT'S OFFICE.

No. 3843 W

Madras, N. E. 27th December 1912 191

28/12

To

The First Assistant to the

Hon'ble the Resident in Mysore,

Bangalore

Sir,

S.4. With reference to your No.6055 of the 15th October last, I have the honour to report that the land therein referred to is not likely to be required for purposes of the Railway Company.

I have the honour to be,

Sir,

Your most obedient servant,

A M Kirkus

Agent.

Encl. 1

P.C.R

S. 3.—R. P. B.—4-1912.—10,000.

No 145/12

[DRAFT.]

From V. B. Warburton Esq., I.C.S.,
First Assistant to the Resident
in Myson.

To The Collector, for the Station of Hmyaka.

Sir,

No 37
5/4th January 1913.
A.S

With reference to the correspondence ending with your letter No 4788, dated the 20th November 1912, I am directed to say that, as Veerappa land in Doddigunte village is not likely to be required for railway purposes, the Resident sees no objection to its sale to the Tobacco Company at Rs 200/- per acre, provided the present bonafide occupier is duly compensated ~~by the Company~~ for improving the land.

I am, etc.,

First Asst. Resident.

4-1-13 | 4/1/13 | 2/1/13